

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

v.

MERRILL LYNCH, PIERCE, FENNER & SMITH INC.;
DEUTSCHE BANK SECURITIES INC.; GOLDMAN,
SACHS & CO.; J.P. MORGAN SECURITIES LLC; and
RBS SECURITIES INC.,

Defendants.

No. 3 :11-cv-30285-MAP

LOCAL RULE 16.1(D)(3) CERTIFICATE

The undersigned hereby certify that Defendant Goldman, Sachs & Co. and its counsel have conferred (a) with a view to establishing a budget for the costs of conducting the full course (and various alternative courses) of this litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in Rule 16.4 of the Local Rules of this Court.

GOLDMAN, SACHS & CO.,

By its counsel,

/s/ Zachary C. Kleinsasser

Mark A. Berthiaume, BBO #041715

berthiaumem@gtlaw.com

Zachary C. Kleinsasser, BBO# 664291

kleinsasserz@gtlaw.com

GREENBERG TRAURIG, LLP

One International Place

Boston, Massachusetts 02110

Tel: (617) 310-6000

Fax: (617) 310-6001

Of counsel

Richard H. Klapper

Theodore Edelman

Stephanie G. Wheeler

Sullivan & Cromwell LLP

125 Broad Street

New York, NY 10004-2498

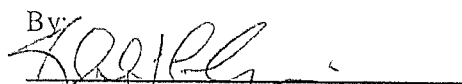
Tel: (212) 558-4000

Fax: (212) 558-3588

Dated: May 25, 2012

GOLDMAN, SACHS & CO.

By:



Richard J. Lomuscio

Vice President, Associate General Counsel
Goldman, Sachs & Co.

CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing on May 29, 2012.

/s/ Zachary C. Kleinsasser
Zachary C. Kleinsasser